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HOUSE BILL 590

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Eric A. Youngberg

AN ACT

RELATING TO WATER; PROHIBITING THE STATE ENGINEER FROM STOPPING  
THE USE OF CERTAIN DOMESTIC USE WELLS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 72-12-1.1 NMSA 1978 (being Laws 2003,  
Chapter 298, Section 2) is amended to read:

"72-12-1.1. UNDERGROUND WATERS--DOMESTIC USE--PERMIT.--A  
person, firm or corporation desiring to use public underground  
waters described in this section for irrigation of not to  
exceed one acre of noncommercial trees, lawn or garden or for  
household or other domestic use shall make application to the  
state engineer for a well on a form to be prescribed by the  
state engineer. Upon the filing of each application describing  
the use applied for, the state engineer shall issue a permit to  
the applicant to use the underground waters applied for;

.154603.1

underscoring material = new  
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1 provided that permits for domestic water use within  
2 municipalities shall be conditioned to require the permittee to  
3 comply with all applicable municipal ordinances enacted  
4 pursuant to Chapter 3, Article 53 NMSA 1978. The state  
5 engineer shall not stop a person, firm or corporation from  
6 operating a well in accordance with a permit issued on or  
7 before July 1, 2005 pursuant to this section."

8 Section 2. EFFECTIVE DATE.--The effective date of the  
9 provisions of this act is July 1, 2005.

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